

FILED

July 10, 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: NM

DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

MARY ANN SHELTON,

Plaintiff,

V.

**PF WESTPOND, LLC and
WESTPOND UNIT II, LTD.,**

Defendants.

CIVIL NO. SA-22-CV-00973-OLG

ORDER ON REPORT AND RECOMMENDATION

The Court has considered United States Magistrate Judge Henry J. Bemporad's Report and Recommendation (R&R), filed June 13, 2024, concerning Defendant PF Westpond, LLC's Motion for Summary Judgment. (*See* R&R, Dkt. No. 36.)

A party who wishes to object to a Magistrate Judge’s findings and recommendations must serve and file specific written objections within fourteen days. FED. R. CIV. P. 72(b)(2). Plaintiff, through counsel, was electronically served with a copy of the R&R on June 13, 2024, and timely filed her objections on June 27, 2024 (*see* Dkt. No. 40). When a party objects to an R&R, the Court must make a de novo determination as to “any part of the magistrate judge’s disposition that has been properly objected to.” FED. R. CIV. P. 72(b)(3); *see United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), *cert. denied*, 492 U.S. 918 (1989). Objections must be specific; frivolous, conclusory, or general objections need not be considered by the district court. *Battle v. U.S. Parole Comm’n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982), *overruled on other grounds by Douglass v. U.S. Auto. Ass’n*, 79 F.3d 1415 (5th Cir. 1996)). Any portions of the Magistrate Judge’s findings or recommendations that were not objected to are reviewed for clear error. *Wilson*, 864 F.2d at 1221.

The Court has nevertheless reviewed the entirety of the R&R de novo and finds that it is in all things correct and should be accepted. Accordingly, the Court **ADOPTS** the Magistrate Judge's R&R, and, for the reasons set forth therein, Defendant's Motion for Summary Judgment (Dkt. No. 17) is **GRANTED**, and Plaintiff's claims against Defendants are **DISMISSED**.

This case is **CLOSED**.

It is so **ORDERED**.

SIGNED this 10 day of July, 2024.

A handwritten signature in blue ink, appearing to read 'Orlando L. Garcia', written over a horizontal line.

ORLANDO L. GARCIA
United States District Judge